



City Council Work Session Agenda Thursday, September 10, 2015, 1 p.m. Committee Room, Second Floor

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[Roll Call]

[Priority Items By The City Manager, City Attorney, And City Clerk]

[Administrative Consent Items]

City Clerk's Office

1. Approval of City Council Minutes

To approve the City Council Minutes for the following meetings: June 4, 2015; June 8, 2015; June 15, 2015; June 24, 2015; and July 23, 2015.

(Resource Person: D. Ann Gray – 919-560-4166 ext. 12267) ([PR# 10691](#))

[Departmental Items]

Audit Services Department

2. Inventory Audit – June 2015

To receive and accept the Inventory Audit for June 2015 as presented and approved at the August 24, 2015 Audit Services Oversight Committee meeting.

(Resource Person: Germaine Brewington – 919-560-4213 ext. 14244) ([PR# 10680](#))

City-County Planning Department

3. Street Renaming – Ridgeway Road (SN1500002, SN1500003)

To adopt two Resolutions to change the name of two portions of Ridgeway Road to Crossland Drive (SN1500002) and Macy Grove Drive (SN1500003).

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10670](#))

Department of Transportation

4. First Amendment to the Parking Lease Agreement by and between the City of Durham and American Campus, LLC for the North Parking Garage

To authorize the City Manager to execute the First Amendment to the Parking Lease Agreement by and between the City of Durham and American Campus, LLC for a period not to exceed 36 months.

(Resource Person: Thomas Leathers – 919-560-4366 ext. 36207) ([PR# 10688](#))

5. Durham-Orange Light Rail Transit Project

To authorize the Mayor to send a letter to GoTriangle endorsing the recommended alternative in the Draft Environmental Impact Statement (DEIS).

(Resource Person: Ellen Beckmann – 919-560-4366 ext. 36412) ([PR# 10689](#))

Department of Water Management

6. Professional Engineering Services for the Homeland Avenue Stream Relocation Project

To authorize the City Manager to execute a contract with The John R. McAdams Company Incorporated for Professional Engineering Services in an amount not to exceed \$95,960.00 for the Homeland Avenue stream relocation project.

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10658](#))

7. Professional Engineering Services for the Aiken Avenue Stream Relocation Project

To authorize the City Manager to execute a contract with The John R. McAdams Company Incorporated for Professional Engineering Services in an amount not to exceed \$99,160.00 for the Aiken Avenue stream relocation project.

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10657](#))

8. Professional Engineering Services for Roof Replacements at Various Department of Water Management Facilities

To authorize the City Manager to execute a contract with Raymond Engineering – Georgia, PLLC for Professional Services for design, evaluation, and construction administration/inspection services for multiple roof replacements for DWM facilities at a contract cost of \$137,400.00;

To establish a contingency fund in the amount of \$14,000.00; and

To authorize the City Manager to negotiate change orders provided that the cost of all change orders does not exceed \$14,000.00, and the total project cost does not exceed \$151,400.00.

(Resource Person: Jerry Morrone – 919-560-4381 ext. 35243) ([PR# 10663](#))

Equal Opportunity and Equity Assurance Department

9. Disparity Study Follow-Up Report

To receive a follow-up report of the Disparity Study; and

To refer the item to the Administration for implementation of study recommendations.

(Resource Person: Deborah Giles – 919-560-4180 ext. 17243) ([PR# 10687](#))

Finance Department

10. Contract for Insurance Broker Services

To authorize the City Manager to enter into a contract with Arthur J. Gallagher as the City's Insurance Broker for a period of three years with two optional one-year extensions.

(Resource Person: Glenn LeGrande – 919-354-2740 ext. 18348) ([PR# 10671](#))

11. Contract for False Alarm Reduction Program Services

To authorize the City Manager to enter into a contract with PMAM Corporation for False Alarm Reduction Program Services in the estimated amount of \$171,600.00.

(Resource Person: Sue Sandhoff – 919-560-4132 ext. 18222) ([PR# 10685](#))

General Services Department

12. Land Lease between the City of Durham and Frontier Communications of the Carolinas, LLC

To accept a land lease with Frontier Communications of the Carolinas, LLC for a portion of the property located at 6605 Farrington Road and advertise for upset bids pursuant to the Upset Bid Procedure (G.S. 160A-269);

To authorize the City Manager to accept the bid from the highest responsible bidder at the conclusion of the upset bid process, pursuant to Section 86.3 of the City Charter;

To authorize the City Manager to execute a land lease with Frontier Communications of the Carolinas, LLC for a twenty (20) year term for the purpose of location and operation of telephone communications exchange facilities, together with the access easement, on a portion of 6605 Farrington Road, Parcel ID 141733 (City Tract 760); and

To authorize the City Manager to execute a Memorandum of Lease.

(Resource Person: Amy Sears – 919-560-4197 ext. 21274) ([PR# 10664](#))

13. Proposed Condemnation of Property Located at 1914 E. Cornwallis Road (Parcel ID 155777) and 1916 E. Cornwallis Road (Parcel ID 155776) for the Martin Luther King Jr. Sanitary Sewer Outfall Relocation Project

To find it is necessary, in the public interest, and for the public use and benefit, to condemn the following interests in the property identified as 1914 E. Cornwallis Road (Parcel ID 155777) and 1916 E. Cornwallis Road (Parcel ID 155776), owned by ECDG South, LLC, and as shown on the map entitled Proposed MLK Jr. Parkway Sanitary Sewer Outfall Easement Map prepared by Hydrostructures, P.A. dated October 30, 2014; and

To authorize the City Attorney to initiate condemnation proceedings for that purpose, with a deposit into court of \$6,900.00 as the City's estimate of just compensation.

(Resource Person: Amy Sears – 919-560-4197 ext. 21274) ([PR# 10668](#))

14. Proposed Conveyance of Various Property Interests to the North Carolina Department of Transportation for the Alston Avenue Widening Project

To authorize conveying to the North Carolina Department of Transportation, pursuant to NCGS Â§160A-274 a) .147 acres on 1318 E. Pettigrew Street for a temporary construction easement, a permanent utility easement, and fee simple right-of-way; and b) .042 acres on 917 Liberty Street for a temporary construction easement and a permanent utility easement for a total amount of \$19,155.00; and

To authorize the City Manager or Mayor to convey the city-owned property interests by special warranty deed.

(Resource Person: Elizabeth Hyland – (919) 560-4197 ext. 21295) ([PR# 10676](#))

15. Proposed Conveyance of City-Owned Property to the North Carolina Department of Transportation for the Alston Avenue Widening Project

To authorize conveying to the North Carolina Department of Transportation, pursuant to NCGS Â§160A-274, a) the entire .034-acre parcel that was formerly a part of 909 Liberty Street in fee simple; b) the entire .037-acre parcel that was formerly a part of 903 Eva Street and 906 N. Alston Avenue in fee simple; and c) the entire .007-acre parcel that was formerly a part of 902 Holloway Street and 904 Holloway Street in fee simple for a total amount of \$16,960.00; and

To authorize the City Manager or Mayor to convey the city-owned property interests by special warranty deed.

(Resource Person: Elizabeth Hyland – (919) 560-4197 ext. 21295) ([PR# 10678](#))

Technology Solutions Department

16. Contract for Open Data Platform

To authorize the City Manager to execute a service contract with OPENDATASOFT in the amount of \$90,000.00 for a two-year period to procure an Open Data Platform for the City of Durham.

(Resource Person: Martha Lester-Harris – 919-560-4122 ext. 33229) ([PR# 10684](#))

[Presentations]

Finance Department

17. Durham County Tax Administration – Annual Tax Settlement (10 minutes)

To receive a presentation by the Tax Collector on the Tax Settlement for FY2015.

(Resource Person: Keith Herrmann – 919-560-4455 ext. 18230) ([PR# 10666](#))

Budget and Management Services Department

18. FY2014-15 4th Quarter Financial Report (10 minutes)

To receive the FY2014-15 4th Quarter Financial Report.

(Resource Person: John Allore – 919-560-4111 ext. 20292) ([PR# 10675](#))

Neighborhood Improvement Services Department

19. Poverty Reduction Initiative – Public Safety Task Force (15 minutes)

To receive a presentation on the Poverty Reduction Initiative from the Public Safety Task Force.

(Resource Person: Lynwood Best – 919-560-1647 ext. 34254) ([PR# 10674](#))

[Public Hearings]

City-County Planning Department

20. Consolidated Annexation – 729 Clausun Drive (BDG1500003)

To conduct a public hearing and receive comments on Consolidated Annexation of 729 Clausun Drive (BDG1500003);

To authorize the City Manager to enter into a utility extension agreement with Baron Company, LLC;

To adopt an Ordinance Annexing 729 Clausun Drive (BDG1500003) into the City of Durham effective September 30, 2015;

To adopt an Ordinance Amending the Unified Development Ordinance to establish Residential Suburban-20, Falls of the Neuse/Jordan Lake-B (RS-20, F/J-B) zoning for the property; and

To adopt a consistency statement as required by NCGS 160A-383. Recommendations: The staff recommends that the City Council approve the Utility Extension Agreement, Voluntary Annexation Petition, and Initial Zoning and to vote separately to adopt a consistency statement as required by NCGS160A-383.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10643](#))

21. Consolidated Annexation – Harris Beverage (BDG1500009)

To conduct a public hearing and receive comments on Consolidated Annexation of Harris Beverage (BDG1500009);

To authorize the City Manager to enter into a utility extension agreement with Joven Group Four;

To adopt an Ordinance Annexing Harris Beverage (BDG1500009) into the City of Durham effective September 30, 2015;

To adopt an Ordinance Amending the Unified Development Ordinance to establish Industrial Light, Falls/Jordan District B (IL, F/J-B) zoning for the property; and

To adopt a consistency statement as required by NCGS 160A-383.

Recommendations: The staff recommends that the City Council approve the Utility Extension

Agreement, Voluntary Annexation Petition, and Initial Zoning and to vote separately to adopt a consistency statement as required by NCGS160A-383.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10649](#))

22. Consolidated Annexation – Montessori School of Raleigh (BDG1400011)

To conduct a public hearing and receive comments on Consolidated Annexation of Montessori School of Raleigh (BDG1400011);

To authorize the City Manager to enter into a utility extension agreement with the Montessori School of Raleigh;

To adopt an Ordinance Annexing the Montessori School of Raleigh (BDG1400011) into the City of Durham effective September 30, 2015;

To adopt an Ordinance Amending the Unified Development Ordinance to establish Residential Rural (RR) zoning for the property; and

To adopt a consistency statement as required by NCGS 160A-383.

Recommendations: The staff recommends that the City Council approve the Utility Extension Agreement, Voluntary Annexation Petition, and Initial Zoning and to vote separately to adopt a consistency statement as required by NCGS160A-383.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10667](#))

23. Consolidated Annexation – Amerco (BDG1500001)

To conduct a public hearing and receive comments on the Consolidated Annexation of Amerco (BDG1500001);

To authorize the City Manager to enter into a utility extension agreement with Amerco Real Estate Company;

To adopt an Ordinance Annexing Amerco (BDG1500001) into the City of Durham effective September 30, 2015;

To adopt an Ordinance Amending the Unified Development Ordinance to establish Commercial General (CG) and Residential Suburban-20 (RS-20) zoning for the property; and

To adopt a consistency statement as required by NCGS 160A-383.

Recommendations: The staff recommends that the City Council approve the Utility Extension Agreement, Voluntary Annexation Petition, and Initial Zoning and to vote separately to adopt a consistency statement as required by NCGS160A-383.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10686](#))

24. Zoning Map Change – Southwest Durham at 15-501 (Z1400030)

To conduct a public hearing and receive comments on the zoning map change for Southwest Durham at 15-501 (Z1400030);

To adopt an Ordinance Amending the Unified Development Ordinance by taking the described property in zoning map change case Z1400030 out of Residential Suburban – 20 (RS-20) and placing same in and establishing same as Commercial General with a development plan (CG(D)); and

To adopt a consistency statement as required by GS 160A-383.

Staff Determination: Staff determines that his request is not consistent with the Comprehensive Plan and other adopted policies and ordinances.

Planning Commission Recommendation and Vote: Approval 8-6 on August 11, 2015. The Planning Commission finds that the ordinance request is not consistent with the adopted Comprehensive Plan. However, the Commission believes the request is reasonable and in the public interest and recommends approval based on comments received at the public hearing and the information in the staff report.

[The site is located at 3301 Southwest Durham Drive, south and west of the intersection of US 15-501 Highway and Southwest Durham Drive opposite Witherspoon Boulevard, PINs 0800-03-32-1261 (partial), 0800-03-32-5136 (partial), and 0800-03-32-9279 (partial)].

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10682](#))

25. Street Closing – Beamon Street (SC1500004)

To conduct a public hearing and receive comments on the Street Closing of Beamon Street (SC1500004); and

To adopt an order for the permanent closing of 422 linear feet of public right-of-way for Beamon Street.

(Resource Person: Steven L. Medlin, AICP – 919-560-4137 ext. 28223) ([PR# 10669](#))

[Citizens' Matters – To Be Heard at 1:00 p.m.]

27. Wanda Boone

To receive comments from Wanda Boone requesting City Council to review the list of alcohol outlet to identify potential problem locations and Ordinance not to sell energy drinks to anyone

under the age of 18, and the Loud and Unruly Noise Ordinance.

(Resource Person: Wanda Boone) ([PR# 10694](#))

[Adjournment]

Notice Under the Americans with Disabilities Act (ADA).

The City of Durham will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Anyone who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in the City program, service, or activity, should contact the office of Stacey Poston, Acting ADA Coordinator, Voice: (919)560-4197, ext. 21254, TTY:(919) 560-1200; ADA@durhamnc.gov, as soon as possible but no later than 48 hours before the scheduled event.